



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
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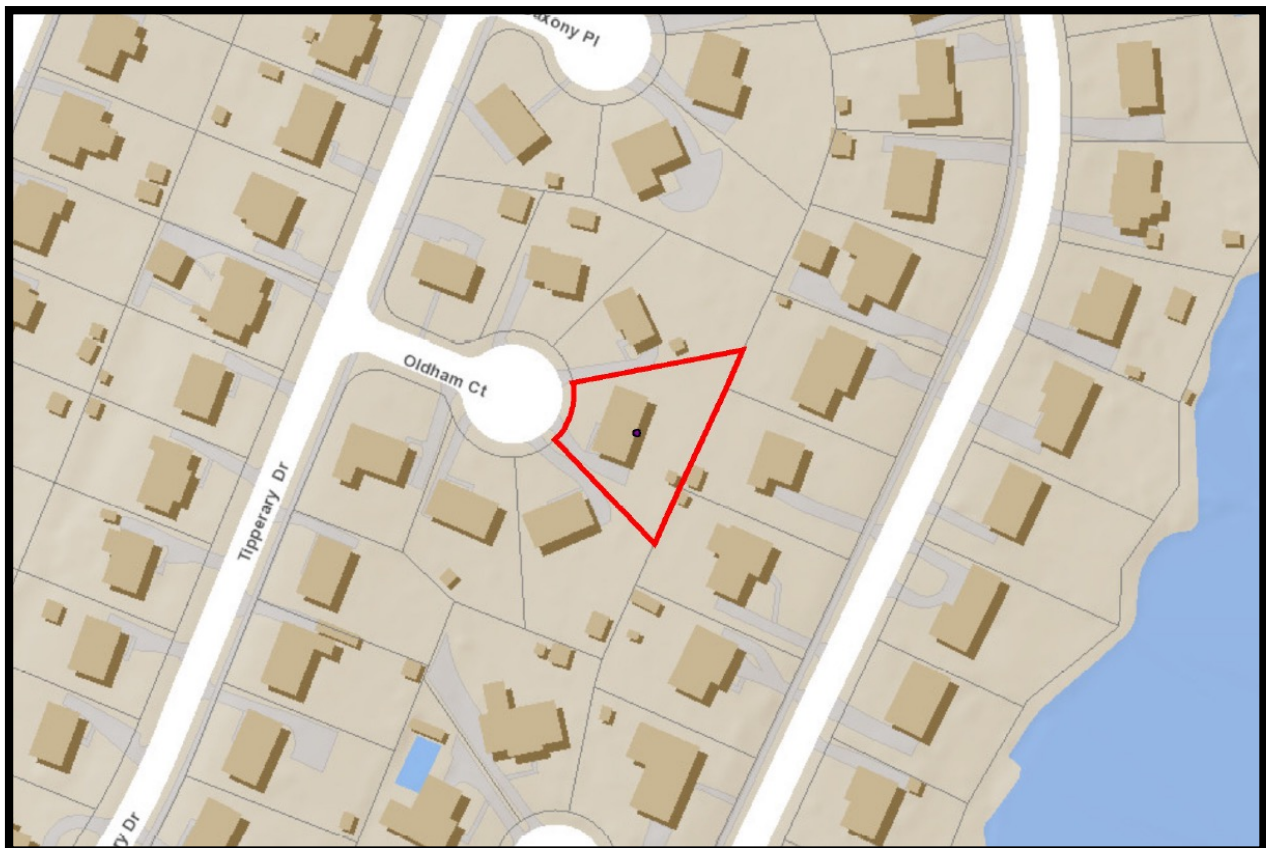
Case File: A-2-17

Property Address: 3012 Oldham Court

Property Owner: Jewels Realty Investment, LLC

Project Contact: J.P. Zhang

Nature of Case: A request for a 12 foot variance from the 1,125 feet radius spacing requirement between Supportive Housing Residences set forth in Section 6.2.1.J.2.c. of the Unified Development Ordinance such that there is only 1,113 feet between an existing Supportive Housing Residence and a proposed Supportive Housing Residence to be located on a .27 acre property zoned Residential-6 and located at 3012 Oldham Court.

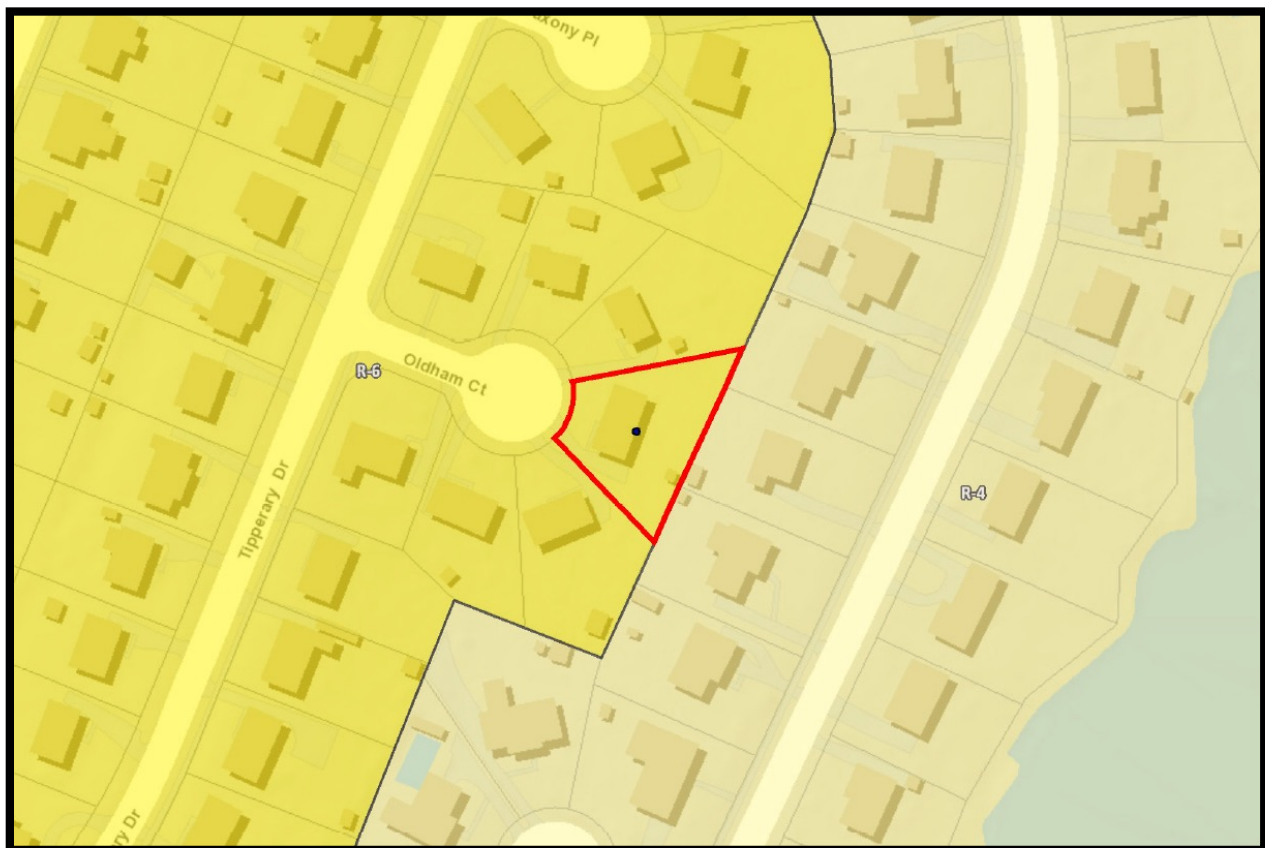


3012 Oldham Court – Location Map

To BOA: 1-9-17

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-6



3012 Oldham Court – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-6

Lot Dimensions

Area (min)	4,000 SF
Width – interior lot (min)	45'

Yard Type **Minimum Setback**

Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	10'
Rear	20'

Section 6.2.2.J. Supportive Housing Residence

1. Defined

A facility in which more than 4 unrelated persons may reside who are battered individuals, abused children, pregnant women and their children, runaway children, temporarily or permanently disabled mentally, emotionally or physically, individuals recovering from drug or alcohol abuse, and all other persons who possess a disability that is protected by the provisions of either the Americans with Disabilities Act 42 USC 12101 or N.C. Gen. Stat. Article 3, Chapter 168, along with family members and support and supervisory personnel.

2. Use Standards

- a. The total number of individuals occupying a supportive housing residence cannot exceed 12.

b. A resident manager must reside permanently on the premise.

c. No supportive housing residence can be located within 1,125 feet of another multi-unit supportive housing residence or supportive housing residence (determined by a straight line from property line to property line).

d. The supportive housing residence must conform to one of the following:

- i. It is licensed by the federal or state government; or
- ii. It is funded in part by a government grant or loan.